

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI

RAYSHAWN J. PENN,	:	Case No. 1:22-cv-262
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
C.O. EASH, <i>et al.</i> ,	:	
	:	
Defendant.	:	

ENTRY AND ORDER ADOPTING REPORT AND RECOMMENDATIONS (Doc. 5)

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Stephanie K. Bowman (Doc. 5), to whom this case is referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby **ADOPTS** said Report and Recommendations in its entirety. Accordingly, this Complaint is **DISMISSED with prejudice**, with the exception of Plaintiff's Eighth Amendment excessive force claim against Defendant C.O. Eash. This action shall proceed on Plaintiff's Amended Complaint (Doc. 9), filed July 25, 2022. Additionally, Plaintiff is **DENIED** any requested certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would not be taken in good faith and therefore should not be permitted to proceed in forma pauperis.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND